

2. Ms. Mills Recalled That She and Mr. Foster Met with Mr. Livingstone.

Ms. Mills stated that she met Mr. Livingstone in January or early February 1993.³⁷ Her recollection of the events surrounding Mr. Livingstone's application for a position at OPS differs from Mr. Livingstone's testimony on two points. First, Ms. Mills stated that she believed the position Mr. Livingstone was pursuing was a low-level position and not a supervisory job.³⁸ According to Ms. Mills, Mr. Foster told her some time near the end of January or early in February 1993 that he was going to offer Mr. Livingstone one of the "administrative" positions in OPS.³⁹ Ms. Mills stated that she believed that Mr. Livingstone would be filling a vacancy for one of OPS's administrative assistants.⁴⁰

Second, Ms. Mills stated that both she and Mr. Foster interviewed Mr. Livingstone in her office.⁴¹ Ms. Mills also stated that she did not know how Mr. Foster knew of Mr. Livingstone, but she recalled that Mr. Foster checked with Ms.

³⁷ Mills 11/12/96 Int. at 1.

³⁸ Id. See also HCGRO 6/26/96 Hearing at 215 (Livingstone).

³⁹ Mills 11/12/96 Int. at 1-2.

⁴⁰ Id. at 2.

⁴¹ Id. Mr. Livingstone specifically remembers talking with Ms. Mills about the Director position, but he did not recall Mr. Foster being present during any of their conversations. Livingstone 7/1/96 GJ at 26-27.